

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension)
)
of the Educator Certificate of) **ORDER OF SUSPENSION**
) **(BREACH OF CONTRACT)**
Susan Duke White)
)
Certificate 171559)

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on November 9, 2005. On October 4, 2005, the Department of Education (Department) sent Susan Duke White a notice of her right to a hearing regarding the possible suspension of her South Carolina educator certificate by regular and certified mail, return receipt requested, delivery restricted to addressee. Ms. White received the notice, as evidenced by the signed postal receipt bearing her signature. Ms. White did not request a hearing within the time frame specified in the notice letter. After considering the information presented, the State Board voted to suspend Ms. White’s certificate for one year.

FINDINGS OF FACT

Ms. White holds a valid South Carolina educator’s certificate and has over twelve years of experience. She was under contract for the 2005-2006 school year with Lexington County School District One and was assigned as a first grade teacher at Gilbert Primary School. On September 6, 2005, Ms. White notified her Principal in writing that she was resigning her position, effective September 16, 2005. Through a telephone conversation with District personnel, Ms. White was notified that she would not be released from her contract until a suitable replacement was found. On September 20, 2005, the District Board of Trustees (Board) voted to request that the State Board of Education suspend Ms. White’s certificate if she failed to resume her duties. On September 21, 2005, the District notified Ms. White of the Board’s action and recommended that she

return to work by September 26, 2005. On September 29, 2005, the District notified the Department that Ms. White had not returned to work and that the Board had voted to request suspension of her certificate.

CONCLUSIONS OF LAW

The State Board may suspend the certificate of any person for unprofessional conduct. S.C. Code Ann. §§ 59-25-150 and 160 (2004). Breach of contract is deemed to be unprofessional conduct. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Regs. 43-58 (1992). The State Board finds that the information presented supports its determination that just cause exists to suspend Ms. White's certificate 171559 for a period of one year, from November 9, 2005, through November 8, 2006. Should Ms. White wish to have her certificate reinstated at the end of the suspension period, she may make a written request for reinstatement to the Office of Educator Certification.

South Carolina State Board of Education

By: /S/ Paul M. Forrester

Paul M. Forrester, Chair

Columbia, South Carolina
November 9, 2005